

Appln No. 09/880,634
Amdt date April 26, 2004
Reply to Office action of October 24, 2003

REMARKS/ARGUMENTS

Claims 1 and 6 remain in this application. In response to the Office action dated October 24, 2003, applicant has amended claim 1 to include the limitations of claim 5, and canceled claims 2 through 5. Claims 7 to 11 were withdrawn in response to a previous restriction requirement.

In the Office action, the examiner objected to claims 2-6 as indefinite for incorrectly identifying certain Group 3A and 3B elements as "semi-metals." Applicant has amended claim 1 to identify the elements as "Group 3A elements" and "Group 3B elements," and based on this amendment, applicant requests that the examiner withdraw the objection.


Turning to the substance of the Office action, the examiner rejected claims 1 to 5 as anticipated by Tamaki et al. According to the examiner, Tamaki et al. disclose carbon anode materials for lithium secondary batteries in which carbon is graphitized in the presence of between 1000 ppm and 3000 ppm boron. However, claim 1 has been amended to include the limitations of claim 5 which has been canceled. As amended, claim 1 now requires that the crystalline carbon contain two elements, one of which is boron, and the other element selected from a specific list of elements. The examiner has not shown how Tamaki et al. disclose the inclusion of two different elements in the specific ranges identified, and consequently, claim 1 is allowable over Tamaki et al.

The examiner has further rejected claims 1 to 5 as anticipated by Takami et al. According to the examiner, Takami et al. disclose lithium secondary batteries which include carbonaceous anode active materials that are prepared by adding a catalyst such as B, Mn or Cr to the reaction mixture. Takami et al. further disclose the addition of Al or Si to the graphitizable carbon precursor. However, as with Tamaki et al., the examiner has not shown how Takami et al. disclose the inclusion of two different elements in the specific ranges identified, and therefore,, claim 1 is allowable over Takami et al.

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Claim 6 depends from claim 1 and is allowable for the reasons set forth above. Claims 1 and 6 remain in this application. If there are any further issues which can best be addressed by telephone the examiner is asked to contact applicant's counsel at the number provided.

Respectfully submitted,
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